

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMES RAY,

Plaintiff,

-v-

CHRISTINA RAY, and JOHN DOE
GUARNERIUS ENTITIES #1–20,

Defendants.

20 Civ. 6720 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On August 26, 2020, defendants filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by September 16, 2020. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by October 7, 2020, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by September 16, 2020. Defendants' reply, if any, shall be served by September 30, 2020. At the time any reply is served, the moving party shall supply the Court with courtesy copies of all motion papers via email to EngelmayerNYSDChambers@nysd.uscourts.gov.

¹ If defendants file a new motion to dismiss or rely on their previous motion, plaintiff's opposition will be due 14 days thereafter, and defendants' reply, if any, will be due seven days after that.

Defendants are further ORDERED to serve the motion to dismiss and related papers, *see* Dkts. 5–8, on plaintiff forthwith and file proof of this service no later than Friday, August 28, 2020.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: August 26, 2020
New York, New York